



Entered on Docket
February 19, 2010

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

David L. Tanner, Esq.
Nevada Bar #002366
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Attorneys for Debtor(s)

In the matter of:

Howerton, Sean E. & Jennifer Susan

Debtors.

Case No: BK-09-11007-LBR
Chapter 13
Trustee: Rick Yarnall

Date: 9/17/2009
Time: 3:30 P.M.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

ORDER ON
MOTION TO VALUE DEBTORS' PRINCIPAL RESIDENCE AND AVOID WHOLLY
UNSECURED LIEN(S) ENCUMBERING SAME, TO MODIFY THE RIGHTS OF
LIENHOLDERS AND OBJECTION TO LIENHOLDERS
PROOFS OF CLAIM, IF ANY

Debtors' Motion to Value Debtors' Principal Residence and Avoid Wholly
Unsecured Lien(s) Encumbering Same, to Modify the Rights Lienholders and

1 **Objection to Lienholders' Proofs of Claim, If Any** having been duly filed and
2 served on COUNTRYWIDE HOME LOANS SERVICING, L.P. and having come
3 before this Court for hearing on the date and at the time set forth above with Debtors
4 appearing by and through their legal counsel, David L. Tanner, Esq. of the law firm
5 David L. Tanner Esq. P.C. and none of the named lien holders/lenders/servicer
6 having appeared or otherwise having responded, and good cause appearing
7 therefor;

8 **THE COURT HEREBY FINDS:**

9 1. On the date of the petition, Debtors were the owners of real property
10 used as their principal residence known and described as 6844 Beverly Glen
Avenue, Las Vegas, Nevada 89110-4102 legally described as follows:

11 **** Lot 7 in Block 6 of Hollywood Vegas Inc., Estates Tract,
12 as shown by map thereof on file in Book 5 of Plats, Page
13 7, in the Office of the County Recorder of Clark County,
Nevada.

14 Assessor's Parcel No: 140-35-110-104

15 2. The value of said principal residence at the time their Chapter 13
16 Petition was filed was \$ 250,000.00 as set forth more particularly in a written
17 professional appraisal of subject property.

18 3. Said property at the time of filing was subject to the following liens
19 evidenced by Promissory Notes and Deeds of Trust:

20 First Mortgage:

21 COUNTRYWIDE HOME LOANS SERVICING, L.P. \$337,994.87
22 POB 10219
Van Nuys, CA 91410-0219
Loan # 9346

23 Second Mortgage:

24 COUNTRYWIDE HOME LOANS SERVICING, L.P. \$38,918.54
25 Bankruptcy Department
26 7105 Corporate Drive
Mail Stop PTX-B-209
27 Plano, TX 75024
Loan # xxxxxx9354

3. COUNTRYWIDE HOME LOAN SERVICING, L.P. shall retain it's claims for the full amount under the loans referenced above in the event of either the dismissal of Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Code.

Submitted By:

DAVID L. TANNER, ESQ. P.C.

/s/ DAVID L. TANNER, ESQ.

David L. Tanner, Esq.

Nevada Bar #2366

DAVID L. TANNER, ESQ. P.C.

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Las Vegas, Nevada 89117

Attorneys for Debtor(s)

Approved/Disapproved

Greg Wilde, Esq.
Attorney for Countrywide

Approved/Disapproved

Rick Yarnall
Chapter 13 Trustee

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below :

RICK A. YARNALL, Chapter 13 Trustee **NO RESPONSE**

**701 Bridger Avenue - Suite 820
Las Vegas, Nevada 89101.**

GREG WILDE, ESQ. **xxxx** **APPROVED**
ATTORNEY FOR COUNTRYWIDE